

A U S T I N C I T Y C O U N C I L

AGENDA

Thursday, September 28, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 97

Subject: C14-06-0101 - Ravenscroft - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 11401-11499 Block of Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. Applicant: Huston-Tillotson University (Larry L. Earvin). Agent: Bury & Partners (Melissa Matthiesen). City Staff: Wendy Walsh, 974-7719.

**Additional Backup
Material**

(click to open)

- Staff_Report
- Ordinance

For More Information: Wendy Walsh, 974-7719.

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0101

Z.P.C. DATE: July 18, 2006
August 15, 2006

ADDRESS: 11401 – 11499 Block of Manchaca Road

OWNER: Huston – Tillotson University
(Larry L. Earvin)

APPLICANT: D.R. Horton
(Richard N. Maier)

AGENT: Bury & Partners
(Melissa Matthiesen)

ZONING FROM: I-RR **TO:** SF-6 **AREA:** 3.341 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to no more than 300 per day.

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated July 10, 2006 and provided as Attachment A.

ZONING & PLATTING COMMISSION RECOMMENDATION:

July 18, 2006: *APPROVED A POSTPONEMENT REQUEST TO 08/15/06 (APPLICANT)
[M. HAWTHORNE, C. HAMMOND 2ND] (6-0) B. BAKER, J. GOHIL, J. MARTINEZ
– ABSENT*

August 15, 2006: *APPROVED STAFF'S RECOMMENDATION FOR SF-6-CO DISTRICT
ZONING WITH AN ADDITIONAL CO LIMITING THE NUMBER OF UNITS TO 26 AND
THE CONDITIONS OF THE NEIGHBORHOOD TRAFFIC ANALYSIS; BY CONSENT.
[J. MARTINEZ, J. PINNELLI 2ND] (8-0) K. JACKSON – ABSENT*

ISSUES:

Following action by the Zoning and Platting Commission, the Applicant has requested that Council consider reallocating the total number of units on the Ravenscroft development. On the subject tract, the Applicant has requested a reduction in the number of units from 26 to 18. On the north side of Melibee Trail, the Applicant has requested an increase in the number of units from 70 to 78. The reallocation does not increase the number approved by the Zoning and Platting Commission on both tracts. Please refer to the Applicant's written request at the back of the packet.

The Applicant and Agent have reached an agreement with representatives of the Canterbury Trails subdivision.

The Hillcrest Homeowners Association has submitted a resolution in opposition to the Applicant's proposed zoning request, and supportive of commercial zoning. Please refer to correspondence attached at the back of the Staff report.

DEPARTMENT COMMENTS:

The subject property is undeveloped, zoned interim – rural residence (I-RR, upon its annexation into the City limits), is situated at the corner of Manchaca Road between Melibee Trail and Chappell Lane. A related, undeveloped tract is adjacent to the north across Melibee Trail (also proposed for SF-6 zoning) and the Canterbury Trails single family residential subdivision is adjacent to the east. The land to the south is within the County, and consists of commercial uses along Manchaca Road, and residential uses (single family residences, manufactured homes and a few duplexes) and undeveloped land to the east. Across Manchaca Road to the west is commercially zoned or used property at the entrance of the Olympic Heights single family residential subdivision (GR-CO; I-RR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

Although the approved Preliminary Plan identifies this tract as multi-family or commercial, the Applicant proposes townhouse and condominium residence (SF-6) district zoning in order to construct 13 townhouse / condominium lots, for a total of 26 dwelling units. (FYI, a note on the approved Preliminary Plan prohibits duplexes). As shown in the Applicant's conceptual plan, one driveway is proposed to Melibee Trail. The tract to the north is also proposed for SF-6 zoning in order to construct 35 lots (70 dwelling units) for a combined total of 96 units across both tracts. Please refer to Exhibits B and C.

Staff recommends SF-6 district zoning based on the following considerations of the property: 1) this tract is intended to serve as a transition in land use between Manchaca Road and the single family residences of Canterbury Trails; 2) townhome / condominium uses are compatible with the adjacent single family residences while further diversifying the housing options available in this area, and 3) location at the intersection of an arterial and a collector street. Consistent with the recommendations of the Neighborhood Traffic Analysis, the Staff also recommends a Conditional Overlay to limit development to 300 vehicle trips per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	I-RR	Undeveloped and proposed for SF-6
<i>South</i>	N/A (County)	Restaurant; Auto sales; Shopping center; Manufactured home; single family residences
<i>East</i>	I-SF-2	Single family residences within the Canterbury Trails subdivision
<i>West</i>	LR-CO; LO-CO; GR-	Undeveloped; Single family residences within the

	CO; I-SF-4A; I-RR	Olympic Heights subdivision; Pond; Office; Lawn equipment sales; Child care facility
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AREA STUDY: N/A

NTA: Is required – Please refer to Attachment A

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 217 – Tanglewood Forest Neighborhood Association
- 384 – Save Barton Creek Association 385 – Barton Springs Coalition
- 428 – Barton Springs / Edwards Aquifer Conservation District
- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District 959 – Villages Neighborhood Association

SCHOOLS:

- Menchaca Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0009 – Brazos Zoning	I-RR to GR	To Grant GR-CO	Approved GR-CO with the CO for: 1) limits the development to the following GR uses: restaurant (general); business support services; retail sales (general); and personal improvement services, and all LR uses; 2) prohibits drive-in service as an accessory use to a commercial use; 3) 2,000 trips per day; 4) requires the application of compatibility standards. The Restrictive Covenant limits the personal

			improvement services use to health and fitness clubs (7-28-05).
C14-02-0066 – 14.44 Joint Venture	RR to GR	To Grant LR-CO for Tract 1; LO-CO for Tract 2	Approved LR-CO for Tract 1; LO-CO for Tract 2. CO is for the conditions of the TIA and prohibits drive-in services as accessory to commercial on Tract 1 (4-10-03).
C14-02-0065 – 14.44 Joint Venture	RR to GR	To Grant GR-CO with conditions and restricted to LR development regulations	Approved LR-CO for Tract 1; LO-CO for Tract 2. CO is for the conditions of the TIA and prohibits drive-in services as accessory to commercial on Tract 1 (4-10-03).

RELATED CASES:

The property was annexed into the City limits on December 31, 2002 and assigned I-RR district zoning. The property is identified on the approved Preliminary Plan of Canterbury Trails for multi-family / commercial (C8-97-0126). The undeveloped, eight-acre tract to the north is also proposed for SF-6 zoning (C14-06-0102).

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Manchaca Road	120 feet	Varies	Arterial	No	No	No
Melibee Trail	60 feet	40 feet	Collector	No	No	Yes

CITY COUNCIL DATE: September 28, 2006

ACTION:

ORDINANCE READINGS: 1st

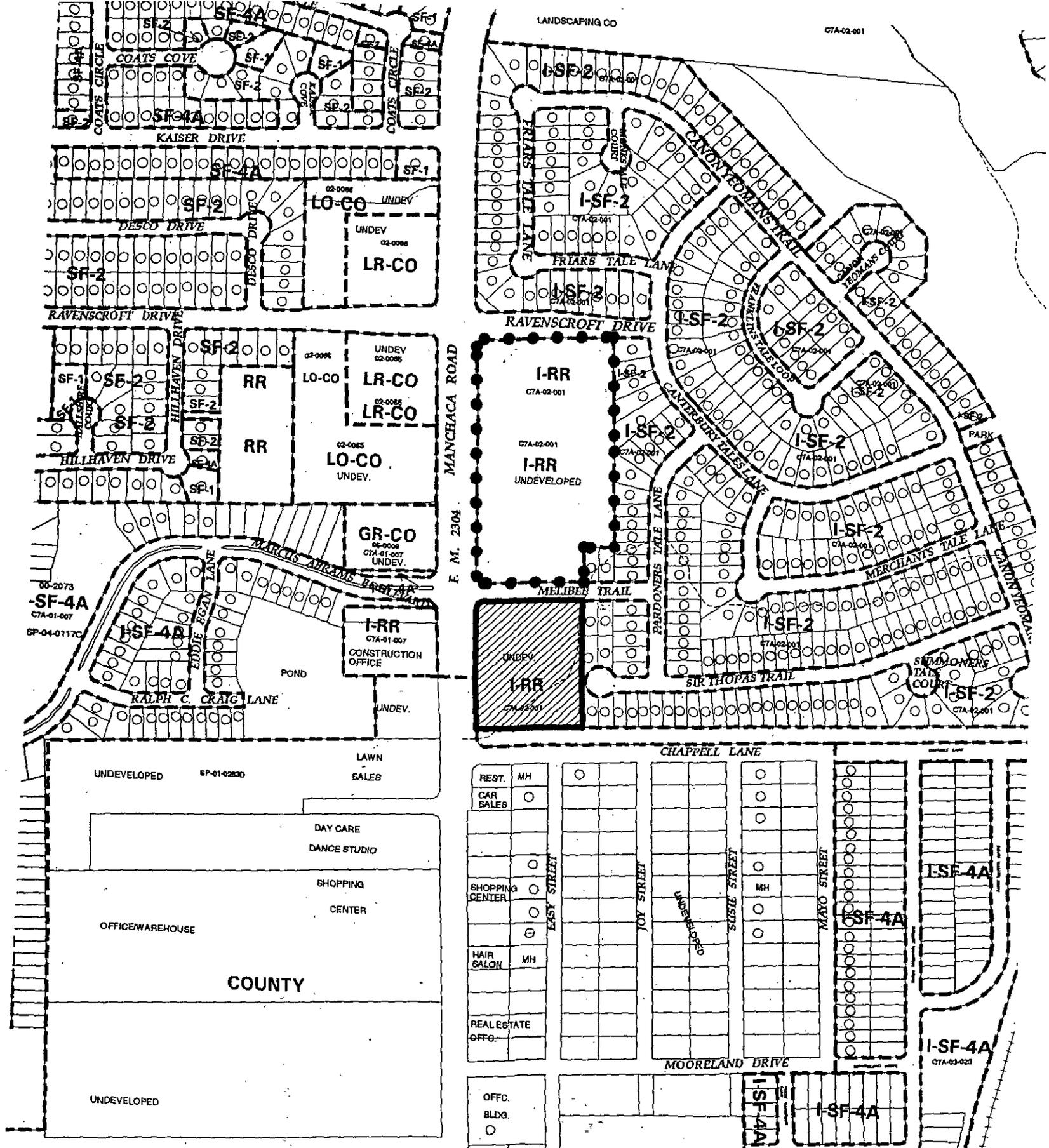
2nd

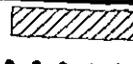
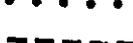
3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



N
 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: W.WALSH
 1" = 400'

ZONING EXHIBIT A
 CASE #: C14-06-0101
 ADDRESS: 11401 - 11499 BLOCK OF MANCHACA RD
 SUBJECT AREA (acres): 3.341
 DATE: 06-05
 INTLS: SM
 CITY GRID REFERENCE NUMBER
 E12

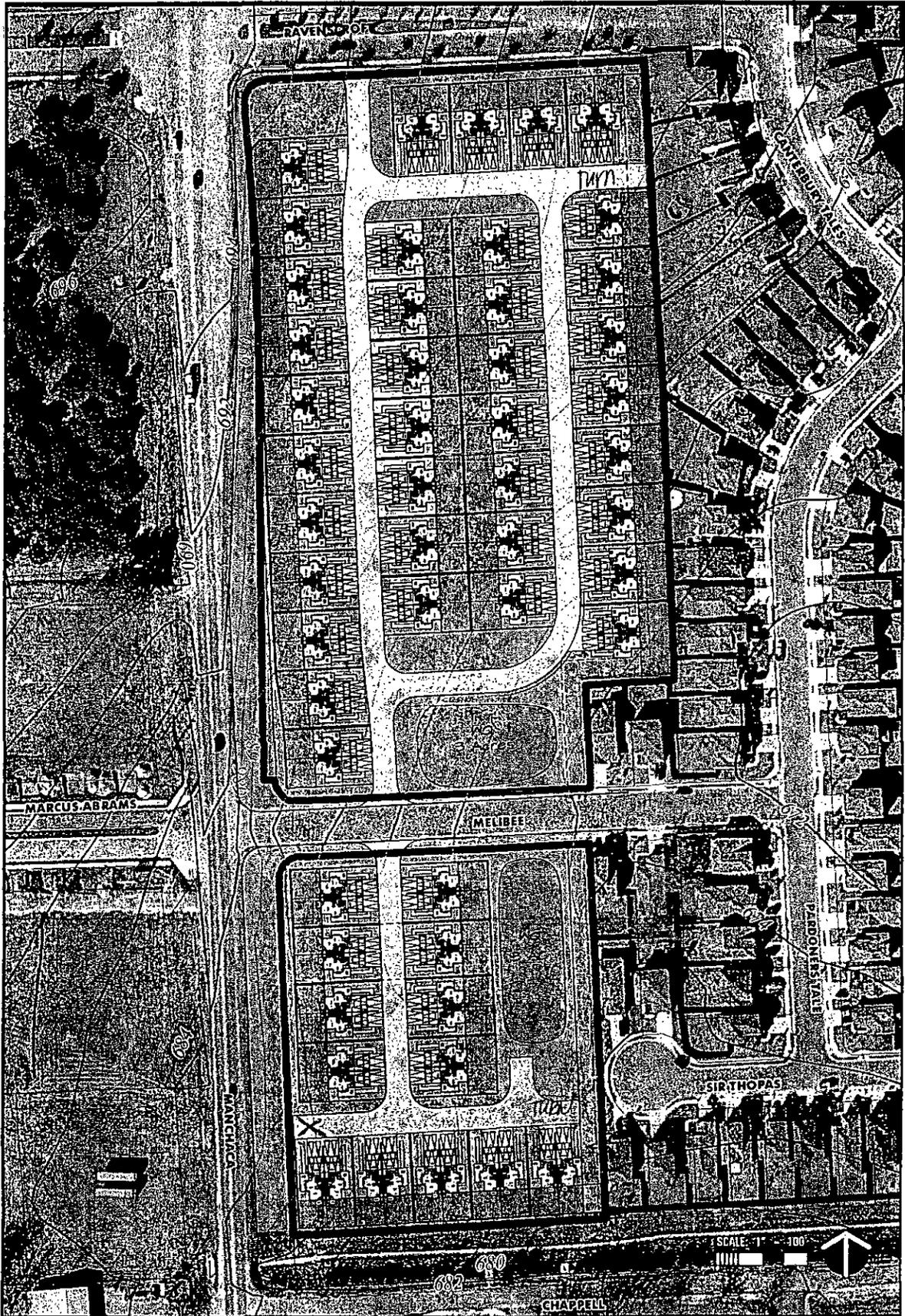


EXHIBIT C
 APPLICANT'S CONCEPTUAL PLAN



MEMORANDUM

TO: Wendy Walsh, Case Manager
CC: Members of the Zoning and Platting Commission
John Kanak, Bury and Partners
FROM: Amy Link, Transportation Planner
DATE: July 10, 2006
SUBJECT: Neighborhood Traffic Analysis for Melibee Trail
Zoning Case # C14-06-0101, Ravenscroft

The transportation section has performed a Neighborhood Traffic Analysis for the above referenced case and offers the following comments:

This tract consists of 3.341 acres and is located in south Austin along Manchaca Road. Currently vacant and zoned Interim Rural Residence (I-RR), this tract proposes Townhouse and Condominium zoning (SF-6). Single-family residential uses surround this tract to the north and east.

Roadways

One site driveway is proposed to Melibee Trail.

Melibee Trail is also classified as a residential collector with 60 feet of right-of-way and 40 feet of pavement. Under Section 25-6-114 of the Land Development Code, Melibee Trail is considered a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses.

Manchaca Road forms the western boundary for both tracts and is classified as a major arterial. Manchaca Road is the main artery providing access to the Canterbury Trails subdivision.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, 7th Edition, the subject tract is capable of generating 602 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification, without consideration of setbacks, environmental constraints, or other site characteristics. Trip generation for each tract is summarized in Table 1.

Land Use	Size	Trip Generation
Townhouse/Condominium	3.341 acres (max 41 units)	291

100% of the traffic from this proposed development will access Melibee Trail. No access to Manchaca Road is proposed at this time.

According to Section 25-6-116 of the Land Development Code, streets which are 40 feet or wider are considered to be operating at a desirable traffic level if the average daily traffic volume for such roadways is less than 4,000 vehicle trips per day.

Table 2 represents a breakdown of existing traffic, proposed site traffic, and total traffic after development on Ravenscroft Drive and Melibee Trail.

Street	Pavement Width (ft)	Maximum Desirable Volume (vpd)	Existing Traffic (vpd)	Proposed New Site Traffic	Overall Traffic
Melibee Trail	40 feet	4,000	538	291 (+139 from C14-06-0102)	968

Recommendations/Conclusions

1. Currently, Melibee Trail operates at a desirable level and will continue to operate at a desirable level with the addition of site traffic from the proposed development. Therefore, no improvements to the roadway network are warranted at this time.
2. If the zoning is granted for this site, development shall be limited through a conditional overlay to no more than 300 vehicle trips per day.

If you have any questions or require additional information, please contact me 974-2628.



Amy Link
Sr. Planner - Transportation Review
Watershed Protection and Development Review Department

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to no more than 300 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The SF-6, Townhouse and Condominium Residence District, is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The applicant intends to develop the property with a condominium project consisting of two attached condominium units per structure.

2. Zoning changes should promote compatibility with adjacent and nearby uses.

Staff recommends SF-6 district zoning based on the following considerations of the property: 1) this tract is intended to serve as a transition in land use between Manchaca Road and the single family residences of Canterbury Trails; 2) townhome / condominium uses are compatible with the adjacent single family residences while further diversifying the housing options available in this area, and 3) location at the intersection of an arterial and a collector street. Consistent with the recommendations of the Neighborhood Traffic Analysis, the Staff also recommends a Conditional Overlay to limit development to 300 vehicle trips per day.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and there appear to be no significant topographical constraints on the site.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the SF-6 zoning district would be 55%, which is a consistent figure between the watershed and zoning regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land

Development Code. Under current watershed regulations; development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 602 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Capital Metro bus service is not available within 1/4 mile of this property.

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Site Plan and Compatibility Standards

The site is subject to compatibility standards. Along the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.

FYI – This can not be a “unified project” with the tract across the street, for site plan due to the right-of-way.

July 17, 2006

Ms. Wendy Walsh
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs, 5th floor
Austin, Texas 78704

Re: Ravenscroft – Zoning Cases C14-06-0101 and C14-06-0102
Request for Zoning and Platting Commission Meeting Postponement
11301-11351 and 11401-11499 Manchaca Road
Austin, Travis County, Texas

Dear Wendy:

As representatives of the above-stated Property owner, we respectfully request a postponement for Zoning Cases C14-06-0101 and C14-06-0102, Items 13 and 14, scheduled for the Zoning and Platting Commission meeting on Tuesday, July 18, 2006. We are currently working with the Canterbury Trails Neighborhood Association, Hillcrest Neighborhood Association and Olympic Heights Neighborhood Association on the proposed rezoning to SF-6 allowing for a condominium/townhome use on each property. We request a postponement from the July 18, 2006 Zoning and Platting Commission meeting to the August 15, 2006 meeting to allow for additional time to work with the aforementioned neighborhood groups.

Please let me know if you should require any additional information or have any questions regarding this request. Thank you in advance for your time and attention to this project.

Sincerely,



Melissa M. Matthiesen

Cc: ✓ Greg Guernsey, *Neighborhood Planning and Zoning Department*
Eric Schiedler, *D.R. Horton*
Garrett Martin, *D.R. Horton*
Jim Knight, *Firm*
Kris Kasper, *Armbrust and Brown, L.L.P.*

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BURY+PARTNERS, INC.
3345 Bee Coves Road, Suite 200
Austin, Texas 78746

TEL (512) 328-0011
FAX (512) 328-0321

**RESOLUTION OF BOARD OF DIRECTORS OF
HILLCREST HOMEOWNERS ASSOCIATION
REGARDING PROPOSED ZONING DESIGNATION FOR NEIGHBORING
PROPERTY OWNED BY HUSTON-TILLOTSON COLLEGE**

WHEREAS, the Hillcrest Homeowners Association (the "Association") has become aware that a tract of land located near the intersection of Manchaca Road and Slaughter Lane, currently owned by Huston-Tillotson College, may be sold in the near future, with a new buyer likely requesting zoning to be implemented;

WHEREAS, said tract of land is located in the immediate vicinity of the homes owned by members of the Association, which is comprised of 470 single-family residences occupied primarily by families with school-aged children, and any development on said tract will directly and substantially impact the membership of the Association and their family members;

WHEREAS, the owner or a potential owner of this currently un-zoned tract has proposed that the City of Austin zone the property to allow for high-density residential development, including the building of tri-plex and four-plex units (the "Proposed Zoning"), with the potential addition of over five-hundred residents on a relatively small tract of land;

WHEREAS, the Proposed Zoning would create an undue impact on the already significant traffic congestion both along Manchaca Road and at the intersection of Manchaca and Slaughter Lane;

WHEREAS, the Texas Department of Transportation has indicated that a proposal to relieve traffic congestion in the area by widening Manchaca Road has been given a very low priority and will not happen anytime soon, if ever;

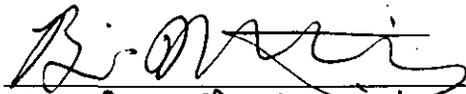
WHEREAS, the traffic impact resulting from the Proposed Zoning would make it substantially more difficult and dangerous for members of the Association to enter and exit their subdivision;

WHEREAS, the unduly high density permitted under the Proposed Zoning would decrease the desirability of the overall neighborhood, and have an adverse impact on property values for surrounding residential homeowners, including the members of the Association;

THEREFORE, the Board, on behalf of the Association, does hereby RESOLVE and take the position as an Association that the Proposed Zoning for the subject tract should be rejected by The City of Austin, and that the tract should be zoned for commercial/retail usage, said zoning being consistent with and complimentary to the existing neighborhood and one that will not unduly impact traffic and land valuations.

AGREED TO and ADOPTED this 27 day of July, 2006.

HILLCREST HOMEOWNERS ASSOCIATION, INC.


BY: Brian Mastervich
TITLE: President

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0101

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

July 18, 2006 Zoning and Platting Commission



GREGORIO N. GUERRERO JR.

Your Name (please print)

Your address(es) affected by this application

11502 EASY ST AUSTIN TX 78748

07-8-06

Date

Signature

Gregorio N. Guerrero Jr.

Comments:

I have no comments

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0101

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

July 18, 2006 Zoning and Platting Commission



Carl DAYWOOD

Your Name (please print)

11517 - 11519 Manchaca Rd

Your address(es) affected by this application

Carl Daywood

7-10-06

Date

Signature

Comments:

Can the City of Expedito
the widening of Manchaca Rd?

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0101

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

July 18, 2006 Zoning and Platting Commission



L. Hernandez

Your Name (please print)

1605 Chappell Lane

Your address(es) affected by this application

hymette Hernandez

Signature

7-18-06

Date

Comments: My Husband has been
living here for 28 years.
We object, we don't want
these apts in front of
our yard, it's nice to rest
in ^{the} yard and see a wooded
area, we don't want to see
apts. So we object.

Object, object, object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

CANTERBURY TRAILS OWNERS ASSOCIATION, INC.

UNANIMOUS CONSENT OF DIRECTORS IN LIEU OF SPECIAL MEETING OF THE BOARD OF DIRECTORS

The undersigned, being all of the members of the Board of Directors of the Canterbury Trails Owners Association, Inc., a Texas non-profit corporation (hereinafter referred to as the "Corporation"), do hereby consent, pursuant to Article 9.10 of the Texas Non-Profit Business Corporation Act, and in lieu of the holding of a special meeting of the Board of Directors, to the adoption of the following resolutions:

1: AGREEMENT WITH THE SF-6 ZONING REQUEST CASES C14-06-0101 AND C14-06-0102 WITH RESTRICTIONS

Further information regarding desired restrictions: The Canterbury Trails Owner's Association (OA) is in favor of the SF6 Condominium/Town home zoning that is being requested by DR Horton on behalf of Huston-Tillotson University via the zoning cases C14-06-0101 and C14-06-0102 based on the modifications that have been agreed upon between DR Horton and the Canterbury Trails OA. The primary modification is the restriction of the number of units to 96 between the two tracts of land (70 on the north plat and 26 on the south plat) which reflects a density per acre that is more in line with the density per acre of the SF-2 zoning of the surrounding neighborhoods. We believe this will allow the seller to achieve their desired value from the land while allowing a developer to construct a property that blends in better with the neighboring communities of Canterbury Trails, Hillcrest, and Olympic Heights. Other agreements regarding the development have also been made between representatives from DR Horton and the Canterbury Trails OA. A letter detailing those agreements is attached for reference.

There are several reasons for the Canterbury Trails position on this issue. The largest of these is the additional safety concerns with adding such a large number of people to an area that is already congested. As most are aware, this area of Travis County already has traffic and roadway issues. As far as the residents of Canterbury Trails are aware, there are no current plans or funding to expand FM 2304 (Manchaca Road) from two lanes to four lanes between Ravenscroft Drive (Slaughter Creek area) and FM 1626. We are also under the impression that there is no current plan to add a traffic light at the Melibee Trail/Marcus Abrams Boulevard and FM 2304 intersection. Having this proposed development go in and out of that intersection, which is already quite congested, is a huge safety hazard for the residents of Canterbury Trails and Olympic Heights, as well as other commuters that travel FM 2304. We believe reducing the density of the residential development will slightly lessen this hazard, though we realize that the hazard cannot be significantly decreased until a traffic signal is installed at the intersection and/or the roadway is widened.

We also believe that the ideal locations of the entrances for this development (if the zoning is approved) are directly onto Manchaca Road and not onto Melibee Trail or Ravenscroft Drive. This will effectively eliminate the amount of traffic that is diverted through the Canterbury Trails neighborhood due to the congestion and difficulties one faces while trying to reach the primary traffic artery, which is FM 2304.

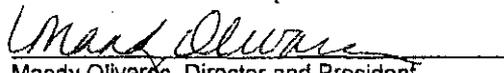
If for any reason the density of the development increases from the number of units agreed upon by the representatives from DR Horton and the Canterbury Trails Owner's Association, the members of the Canterbury Trails Owner's Association would be against the SF6 Condominium/Town home zoning and more in favor of a commercial zoning for said property. If a commercial zoning were to be granted, Canterbury Trails would like it to be either NO, GO, or LR, with the following restrictions from sections 25-2-4, 25-2-5, 25-2-6, and 25-2-7 of the Austin Land Development standards for Zoning:

- No more than 2 stories (or 35 ft) in height
- Disallow the following Commercial uses of the property (section 25-2-4):

- Automotive Sales
- Automotive Washing
- Bail Bond Services
- Cocktail Lounge
- Commercial Off-Street Parking
- Consumer Convenience Services
- Drop-off Recycling Collection Facility
- Equipment Sales
- Food Preparation
- General Retail Sales (Convenience)
- Hotel-Motel
- Indoor Sports and Recreation
- Liquor Sales
- Off-site Accessory Parking
- Pawn Shop Services
- Recreational Equipment Sales
- Scrap and Salvage Services
- Service Station
- Disallow Industrial Uses (section 25-2-5)
- Disallow the following Civic uses of the property (section 25-2-6):
 - Detention Facilities
 - Major Utility Facilities
 - Residential Treatment
 - Telecommunication Tower
 - Transitional Housing
 - Transportation Terminal
- Allow any Agricultural Use (section 25-2-7)

RESOLVED, that pursuant to Article VIII, Section 8.03 of the Declaration of Covenants, Conditions and Restrictions for the Canterbury Trails Owners Association, Inc., the Board of Directors agrees to support the zoning request detailed in cases C14-06-0101 and C14-06-0102 if the above restrictions are applied.

IN WITNESS WHEREOF, the undersigned have executed this instrument to be effective the 10th day of August 2006.


 Mandy Olivares, Director and President


 Bryna Boehle, Director and Secretary/Treasurer

D·R·HORTON DRI
RHTON
NYSE
America's Builder

12554 Riata Vista Circle
Austin, Texas 78727
(512) 345-4663

August 9, 2006

NOTE: This letter replaces and supersedes the letter sent on August 7, 2006.

Attn: Ms. Mandy Olivares, President
Cantebury Trails Home Owners' Association
VIA EMAIL: mandydenice@aol.com

Dear Mandy:

You and your fellow homeowners have been very generous with your time when we have discussed with you the pending zoning cases for the two vacant tracts at the entrance to your neighborhood. Thank you for reviewing these cases in detail.

As you know, DR Horton is requesting your support of these zoning cases to facilitate their acceptance in order that the tracts can be used to construct residential buildings. In exchange for your support, DR Horton will endeavor to make the following commitments to you and your HOA:

1. Pursue an SF-6 zoning on both tracts.
2. Restrict the use of the tracts to 96 units (26 units on the smaller tract and 70 units on the larger tract).
3. To the extent legally possible, restrict the use of the tracts to condominium ownership.
4. Establish a new HOA to govern and oversee the residences built on the tracts.
5. Repair any damage, to its current condition, caused by construction to landscaping along Ravenscroft Drive.
6. Commit to locating driveway entrances in locations acceptable to the HOA and the City of Austin.
7. Establish a 6' high fence around the perimeter of the tracts. The actual placement of the fence will be adjusted in a reasonable manner to account for details such as, but not limited to: easements, topography, traffic sightlines, and driveways.
8. Establish a picnic and playground area within one of the tracts.
9. Pursue the appropriate legal avenues available in the City of Austin Code, State law & Federal law to establish a final, binding agreement that survives the initial sales period of the development of these tracts.

Feel free to contact me or Melissa Matthiesen of Bury + Partners at 328-0011. All of our commitments are obviously subject to the approval, as necessary, of the City of Austin. We look forward to discussing these items with you in the near future.

Sincerely,



Eric Schiedler
Project Manager, Land Development

251376-1 08/07/2006

September 15, 2006

Ms. Wendy Walsh
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs, 5th floor
Austin, Texas 78704

Re: Ravenscroft – Zoning Cases C14-06-0101 and C14-06-0102
Request for Density Reallocation
11301-11351 and 11401-11499 Manchaca Road
Austin, Travis County, Texas

Dear Wendy:

As representatives of the above-stated property owner, we respectfully request a reallocation of the number of units on each tract. We have agreed to limit the total number of units to 96 (on both tracts) with the current allocation being 70 units on the 8.026-acre tract (C14-06-0102) and 26 units on the 3.341-acre tract (C14-06-0101). The density limitations are included as conditions to the above-mentioned zoning cases. The Zoning and Platting Commission recommended approval of the rezoning cases on August 15, 2006.

After further review of the site planning and design for this project, it has been determined the density must be reallocated between the tracts. We request the 8.026-acre tract be allowed to develop 78 units (8 additional units) and the 3.341-acre tract be allowed to develop 18 units (8 less units). Therefore, we are not requesting an increase in density, but simply a shift in the number of units on each tract.

BURY+PARTNERS, INC.
3345 Bee Caves Road, Suite 200
Austin, Texas 78746

PHONE (512) 328-0011
FAX (512) 328-0325

We appreciate your consideration of this request, and ask that this request be considered at the scheduled City Council meeting on September 28, 2006. Please let me know if you should require any additional information or have any questions regarding this request. Thank you in advance for your time and attention to this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa M. Matthiesen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melissa M. Matthiesen

cc: Greg Guernsey, *Neighborhood Planning and Zoning Department*
Eric Schiedler, *D.R. Horton*
Jim Knight, *Firm*
Kris Kasper, *Armbrust and Brown, L.L.P.*

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT THE 11401-11499 BLOCK OF MANCHACA ROAD
3 AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-
4 RR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-
5 CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to townhouse and
11 condominium residence-conditional overlay (SF-6-CO) combining district on the property
12 described in Zoning Case No. C14-06-0101, on file at the Neighborhood Planning and
13 Zoning Department, as follows:
14

15 A 3.341 acre tract of land, more or less, out of the Walker Wilson Survey No. 2,
16 Abstract No. 27, Travis County, the tract of land being more particularly described
17 by metes and bounds in Exhibit "A" incorporated into this ordinance (the
18 "Property"),
19

20 locally known as the property located at the 11401-11499 Block of Manchaca Road, in the
21 City of Austin, Travis County, Texas, and generally identified in the map attached as
22 Exhibit "B".
23

24 **PART 2.** The Property within the boundaries of the conditional overlay combining district
25 established by this ordinance is subject to the following conditions:
26

- 27 1. A site plan or building permit for the Property may not be approved, released, or
28 issued, if the completed development or uses of the Property, considered cumulatively
29 with all existing or previously authorized development and uses, generate traffic that
30 exceeds 300 trips per day.
31
- 32 2. Development of the Property may not exceed a density of 26 dwelling units.
33
- 34 3. Development of the Property may not exceed a density of 7.782 dwelling units per
35 acre.
36

1 Except as specifically restricted under this ordinance, the Property may be developed and
2 used in accordance with the regulations established for the townhouse and condominium
3 residence (SF-6) base district and other applicable requirements of the City Code.
4

5 **PART 3.** This ordinance takes effect on _____, 2006.
6

7
8 **PASSED AND APPROVED**
9

10 _____, 2006

§
§
§

11
12
13 Will Wynn
14 Mayor

15
16
17 **APPROVED:** _____

18 David Allan Smith
19 City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk

3.341 ACRES
RAVENS CROFT AT MANCHACA
D.R. HORTON

FN. NO. 06-182(ACD)
APRIL 10, 2006
BPI JOB NO. 1273-15

EXHIBIT A

DESCRIPTION

OF A 3.341 ACRE TRACT OF LAND OUT OF THE WALKER WILSON SURVEY NO. 2, ABSTRACT NO. 27, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 103.43 ACRE TRACT CONVEYED TO HUSTON-TILLOTSON COLLEGE, BY DEED OF RECORD IN VOLUME 4974, PAGE 1063, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.341 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with cap found on the southerly right-of-way line of Melibee Trail (60' R.O.W.), being the northwesterly corner of Lot 1, Block B, Canterbury Trails Section IV, a subdivision of record in Volume 102, Page 208, of the Plat Records of Travis County, Texas, for the northeasterly corner hereof;

THENCE, S02°37'52"E, leaving said southerly right-of-way line, along the westerly line of said Block B, Canterbury Trails Section IV and Block B, Canterbury Trails Section V, a subdivision of record in Volume 102, Page 292, of said Plat Records, over and across said 103.23 acre tract, for the easterly line hereof, a distance of 415.97 feet to a 1/2-inch iron rod found at the southwesterly corner of Lot 10, Block B, of said Canterbury Trails Section V, being on the northerly line of Lot 142, of said Block B, for the southeasterly corner hereof;

THENCE, S87°31'05"W, along said northerly line of Lot 142, continuing over and across said 103.23 acre tract, for the southerly line hereof, a distance of 349.34 feet to a 1/2-inch iron rod found on the easterly right-of-way line of Manchaca Road (120' R.O.W.), being on the easterly line of that certain 0.603 acre tract conveyed to the State of Texas by Deed of record in Volume 11416, Page 1152, of the Real Property Records of Travis County, Texas, for the northwesterly corner of said Lot 142 and the southwesterly corner hereof;

THENCE, N02°37'52"W, along said easterly right-of-way line of Manchaca Road, being the easterly line of said 0.603 acre tract, continuing over and across said 103.23 acre tract, for the westerly line hereof, a distance of 393.05 feet to a 1/2-inch iron rod with cap set on said southerly right-of-way line of Melibee Trail, at the beginning of a curve to the right, for the northwesterly corner hereof;

THENCE, leaving said easterly right-of-way line of Manchaca Road, along said southerly right-of-way line of Melibee Trail, continuing over and across said 103.23 acre tract, for the northerly line hereof, the following two (2) courses and distances:

- 1) Along said curve to the right, having a radius of 25.00 feet, a central angle of 90°10'00", an arc length of 39.34 feet, and a chord which bears N42°27'08"E, a distance of 35.41 feet to a 1/2-inch iron rod with cap set at the end of said curve;

FN 06-182 (ACD)
APRIL 10, 2006
PAGE 2 OF 2

- 2) N87°32'08"E, a distance of 324.26 feet to the POINT OF BEGINNING, and containing 3.341 acres (145,554 square feet) of land, more or less, within these metes and bounds.

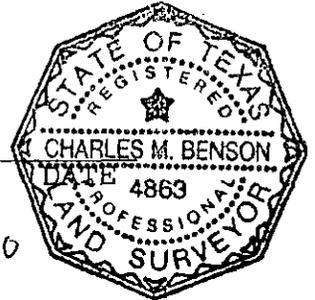
BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA MONUMENTS A-716, F-11-2001, F-11-3001, AND F-14-2002.

I, CHARLES M. BENSON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746



CHARLES M. BENSON
NO. 4863
STATE OF TEXAS



April 14 2006

MANCHACA ROAD
(120' R.O.W.)

N02°37'52"W 393.05'

MELIBEE TRAIL
(60' R.O.W.)
N87°32'08"E 324.26'

P.O.B.

HUSTON-TILLOTSON
COLLEGE
VOL. 4974, PG. 1063

3.341 ACRES
(145,554 SQ. FT.)

LOT 1
LOT 2
CANTERBURY TRAILS
SECTION IV
VOL. 102, PG. 208

BLOCK B

LOT 9
LOT 8
CANTERBURY TRAILS
SECTION V
VOL. 102, PG. 292

SIR THOPAS TRAIL
(50' R.O.W.)

LOT 10

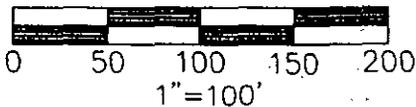
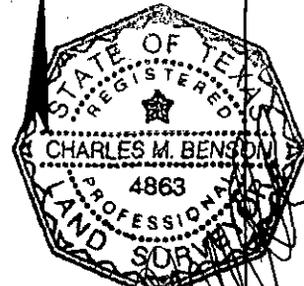
LOT 11

S87°10'56"W 349.34'

LOT 142

BLOCK B

CHAPPELL LANE
(50' R.O.W.)



CURVE TABLE

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	90°10'00"	25.00	39.34	35.41	N42°27'08"E

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- ▲ NAIL FOUND
- △ COMPUTED POINT
- P.O.B. POINT OF BEGINNING

BEARING BASIS:

THE BASIS OF BEARINGS SHOWING HEREON IS THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93), UTILIZING LCRA MONUMENTS A-716, F-11-2001, F-11-3001, AND F-14-2002.

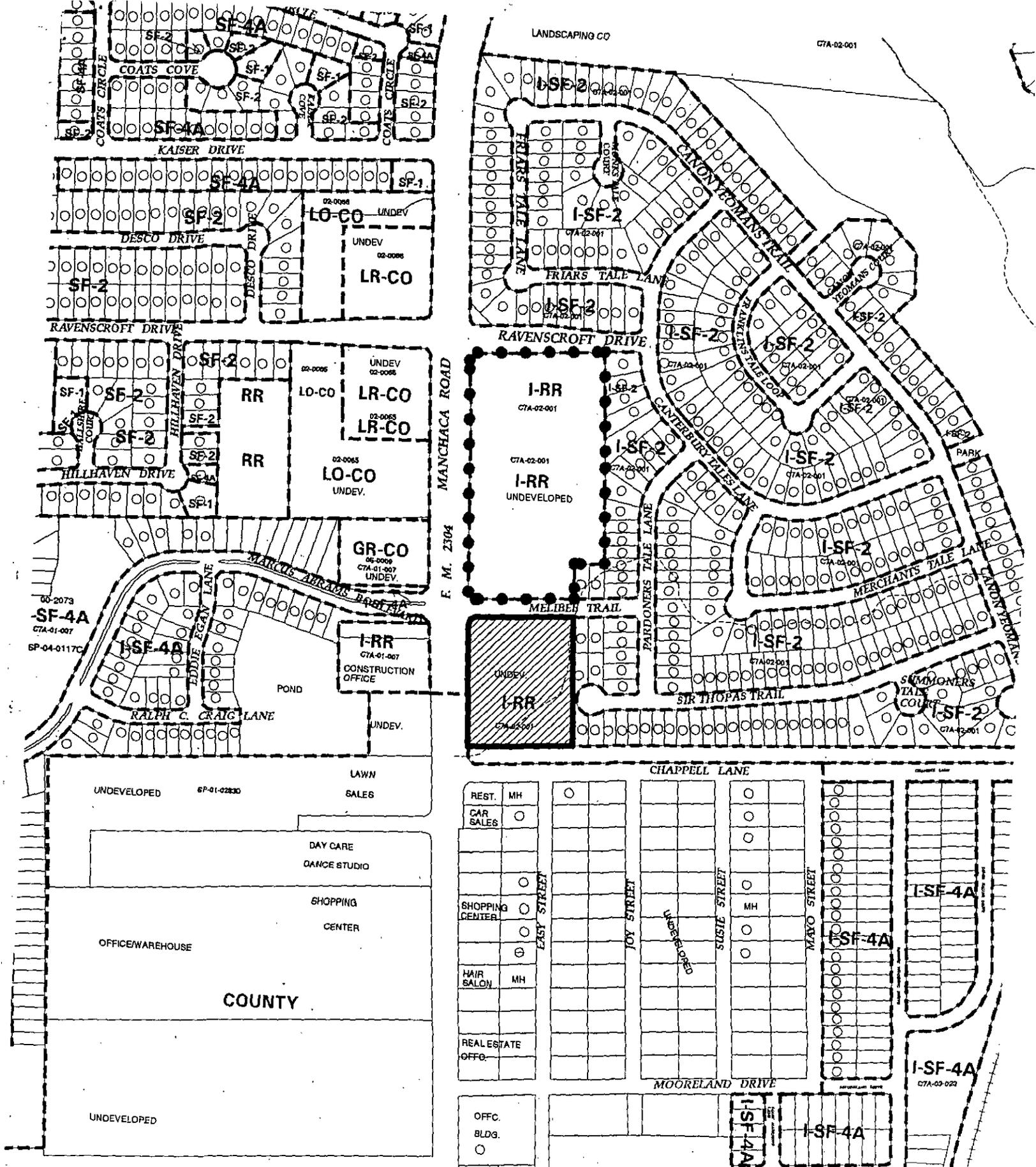
04/2/06

Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325
Bury+Partners, Inc. ©Copyright 2006

SKETCH TO ACCOMPANY DESCRIPTION

OF A 3.341 ACRE TRACT OUT OF THE WALKER WILSON SURVEY NO. 2, ABSTRACT NO. 27, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 103.23 ACRE TRACT CONVEYED TO HUSTON-TILLOTSON COLLEGE BY DEED OF RECORD IN VOLUME 4974, PAGE 1063, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

**D.R. HORTON
RAVENSCROFT**



N
 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: W.WALSH
 1" = 400'

CASE #: C14-06-0101
 ADDRESS: 11401- 11499 BLOCK OF
 MANCHACA RD.
 SUBJECT AREA (acres): 3.341

ZONING EXHIBIT B

DATE: 06-05
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 E12

RESTRICTIVE COVENANT

OWNER: Huston-Tillotson University

ADDRESS: c/o Larry L. Earvin, 900 Chicon Street, Austin, Texas 78702

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 3.341 acre tract of land, more or less, out of the Walker Wilson Survey No. 2, Abstract No. 27, in Travis County, the tract of land more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated July 10, 2006, or as amended and approved by the Director of the Watershed Protection and Development Review Department.
2. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the _____ day of _____, 2006.

OWNER:

Huston-Tillotson University

By: _____
Larry L. Earvin,
President and CEO,
Board of Trustees of Huston-Tillotson University

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____, 2006, by Larry L. Earvin, President and CEO of the Board of Trustees of Huston-Tillotson University, on behalf of the Board and the university.

Notary Public, State of Texas

APPROVED AS TO FORM:

Assistant City Attorney
City of Austin

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767
Attention: Diana Minter, Paralegal

C14.06.0101

3.341 ACRES
RAVENSCROFT AT MANCHACA
D.R. HORTON

FN. NO. 06-182 (ACD)
APRIL 10, 2006
BPI JOB NO. 1273-15

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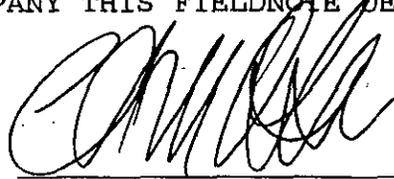
FN 06-182 (ACD)
APRIL 10, 2006
PAGE 2 OF 2

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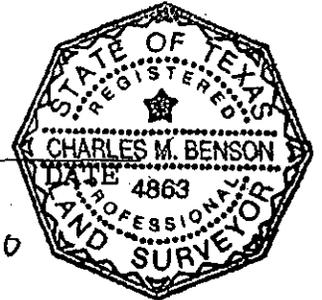
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BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746



CHARLES M. BENSON
NO. 4863
STATE OF TEXAS



April 14, 2006

MANCHACA ROAD
(120' R.O.W.)

N02°37'52"W 393.05'

MELIBEE TRAIL
(60' R.O.W.)
N87°32'08"E 324.26'

P.O.B.

HUSTON-TILLOTSON
COLLEGE
VOL. 4974, PG. 1063

3.341 ACRES
(145,554 SQ. FT.)

LOT 1
LOT 2
CANTERBURY TRAILS
SECTION IV
VOL. 102, PG. 208
BLOCK B
LOT 9
LOT 8
CANTERBURY TRAILS
SECTION V
VOL. 102, PG. 292

S02°37'52"E 415.97'

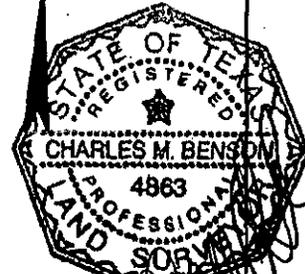
SIR THOPAS TRAIL
(50' R.O.W.)

LOT 10
LOT 11

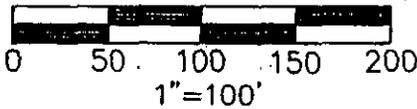
S87°10'56"W 349.34'

LOT 142 BLOCK B

CHAPPELL LANE
(50' R.O.W.)



04/2/06



CURVE TABLE

NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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Bury+Partners

ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
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SKETCH TO ACCOMPANY DESCRIPTION

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**D.R. HORTON
RAVENSCROFT**

DATE: 04/10/06

FILE: H:\1273\15\127315EX2.dwg

FN No.: 06-182(ACD)

DRAWN BY: ACD

PROJ. No: 1273-15